

TOWN BOARD MEETING

MARCH 15, 2006

Supervisor Pagones opened the Regular Town Board meeting at 9:30 am, Town Hall, 807 Route 52, Fishkill, New York and led the audience with the "Pledge of Allegiance".

Present: Supervisor Joan A. Pagones; Town Board members, Steve Ferguson, Ronald Leenig, Heather Malvarosa, Dennis Zack; Town Attorney, Ronald Blass; Town Engineer, John Andrews; John Darcy - Assistant Housing Director; Susan McGuire - Personnel Director; Bill Ratigan - Parks Superintendent; Paula Sarvis - Assessor; Chris Colsey - Municipal Development Director; Dan Shuster; Aaron Justice; Residents - Bob Hoose, Donna Mills, Frank Kalan, Felix Lopez, Jordon Pagones, David Eberle, Azem Albra and Town Clerk, Darlene Bellis

PRIVILEGE OF THE FLOOR FOR AGENDA ITEMS

Motion made by Councilman Ferguson **to go into the privilege of the floor for agenda items.** **Seconded** by Councilman Leenig
Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 5-0

Regular Order of Business

Motion made by Councilman Ferguson **to go back into the regular order of business.** **Seconded** by Councilman Leenig
Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 5-0

ANNOUNCEMENTS

Letter of appreciation from John R. Halpin

Supervisor Pagones read (**copy attached to original minutes**) a letter from John R. Halpin stating his appreciation to the Town Highway Department in their snow plowing of this season.

Change in SEQR - Chapter 641 - EIS's

Councilman Ferguson informed the audience and the Board that Hank Gross has developed a state wide website for the posting of EIS's per the new state law which requires that they be posted for one year - preliminary ones for six months. There will be a fee for posting it on the website, the fee will go in the Town of Fishkill's fee schedule, be paid by the developer on the project for the EIS process.

DISCUSSION(s)

Environmental Advisory Board's progress - Greenway project

Bob Hoose, Chairman EAB, introduced Frank Kalan, a member of the Environmental Advisory Board.

Frank Kalan made his presentation on Town of Fishkill Greenway Trails Proposal (**copy attached to original minutes**)

Fishkill Rotary Clean-up

Donna Mills from the Fishkill Rotary club made her presentation (**copy attached to original minutes**) on the Fishkill Creek Rotary Clean-up.

Supervisor Pagones asked Donna to work the Environmental Advisory Board (Bob Hoose). She suggested both groups make a presentation to the Village of Fishkill.

Merritt Park Water District - specifications and contract drawings

Supervisor Pagones read (**copy attached to original minutes**) a letter from John Andrews, Town Engineer, regarding the specifications and contract drawings for Merritt Park Water District.

John Andrews stated that the specifications and contract drawings were submitted about seven days ago, he expects to get back approval back in the very near future, and asked permission to go out to bid prior to April 01st of this year. This would be for the pipes connecting Merritt Boulevard to the tanks itself and then from there to the well field. In addition there will be some well drilling and testing at the well field.

Motion made by Councilman Ferguson **to authorize the Town Engineer to go out to bid on the specifications and contract drawings for the Merritt Park Water District.** **Seconded** by Councilman Leenig Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 5-0

Small cities grant

Cleared for release of funds on about 90% of the map, plan and report
Next meeting

MOTION(s) TO APPROVE/ADOPT

Resolution ratifying resolution of February 15, 2006

Supervisor Pagones read (**copy attached to original minutes**) a resolution ratifying the resolution that was passed on February 15, 2006 subject to a permissive referendum.

Motion made by Supervisor Pagones **to adopt the resolution modifying its earlier resolution of 02-15-2006 to the extent of both ratifying the terms regarding approval of the agreement to purchase the Girl Scouts of Dutchess County parcel of vacant land subject to permissive referendum in accordance with the provisions of Article 7 of the Town Law.** **Seconded** by Councilman Zack

Roll Call	Councilman Ferguson	aye
	Councilman Leenig	aye
	Councilwoman Malvarosa	aye
	Councilman Zack	aye
	Supervisor Pagones	aye

Motion Carried

Magnolia Townhouses - DEIS

Supervisor Pagones read (**copy attached to original minutes**) a memo from J. Theodore Fink, AICP, regarding the Magnolia Townhouses Revised DEIS.

John Andrews, Town Engineer, reviewed (**copy attached to original minutes**) his letter regarding the Magnolia Townhouse DEIS – Revised submittal. John Andrews feels it is complete but does not accept what the DEIS says, and Mr. Fink’s memo states he does not deem it complete. John Andrews suggested that the board withholds acceptance of the DEIS as complete and authorized the suggestion that there be a modification to the DEIS to address a few issues that speak to the ability of the public to fully understand the implications of the project.

Supervisor Pagones stated that the Town Clerk will let the applicant know that he has some homework to do.

Appoint Dan Shuster - Planning Consultant

Supervisor Pagones read (**copy attached to original minutes**) a Contract for Professional Services between the Town of Fishkill and Shuster Associates, Inc.

Ronald Blass reviewed the contract for professional services.

Motion made by Councilman Ferguson to approve and authorize the Supervisor to execute the proposed Contract for Professional Services by and between the Town of Fishkill and Shuster Associates, Inc. Seconded by Councilwoman Malvarosa

Roll Call	Councilman Ferguson	aye
	Councilman Leenig	aye
	Councilwoman Malvarosa	aye
	Councilman Zack	aye
	Supervisor Pagones	aye

Motion Carried

Town Attorney, Ronald Blass stated he has another proposal from a professional appraisal firm known as ESAC Appraiser - Consultants which we have consulted for purposes of doing a preliminary appraisal on the 93 acres parcel. This firm comes highly recommended. The proposal is at the preliminary appraisal would be at the cost of \$6,500.00 with respect to the 93 acre parcel, and with the flexibility for the potential of the research center site.

Motion made by Councilwoman Malvarosa to approve and authorize the Supervisor to enter into a contract to obtain the services of ESAC Appraiser - Consultants for this purpose of preliminary appraisal at the cost of \$6,500.00 with respect to the 93 acre parcel at this particular price consistent with rate of the proposal. Seconded by Councilman Ferguson

Roll Call	Councilman Ferguson	aye
	Councilman Leenig	aye
	Councilwoman Malvarosa	aye
	Councilman Zack	aye
	Supervisor Pagones	aye

Motion Carried

Court disposition - 276 Baxtertown Road

Chris Colsey advised board of violations at 276 Baxtertown Road.

Motion made by Councilman Zack **to approve the court disposition of 276 Baxtertown Road as submitted by Christopher Colsey.**

Seconded by Councilman Leenig

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried unanimously 5-0

Project Labor Agreement Due Diligence Report

Motion made by Councilman Ferguson **to accept the project labor agreement due diligence report.** **Seconded** by Councilman Leenig

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried unanimously 5-0

2006 Fee Schedule Amendments

Motion made by Councilman Zack **to accept the 2006 fee schedule amendments effective immediately.** **Seconded** by Councilwoman Malvarosa

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried unanimously 5-0

Request to connect to Fishkill Town Water supply

Supervisor Pagones read (**copy attached to original minutes**) a letter from John L. Swarner requesting that 17 Birchwood Drive be connected to the Fishkill Town Water supply which is adjacent to his property.

John Andrews explained the location of Mr. Swarner's request. He stated that the Town owns it and can entertain his request with no impediment, he continued by stating that this is a reasonable request.

Motion made by Councilman Ferguson **to authorize the Town Engineer, and Town Attorney to prepare the necessary contract for an out-of-district tenant.** **Seconded** by Councilwoman Malvarosa

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried unanimously 5-0

Police Department Monthly Statistic Report

Councilman Ferguson read (**copy attached to original minutes**) the Police Monthly Statistic report for February 2006 and made a **Motion to accept the report as submitted.** **Seconded** by Councilman Leenig

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried unanimously 5-0

BUDGET TRANSFERS

Motion made by Councilwoman Malvarosa **to approve the budget transfer as submitted as follows:**

Recreation \$ 2,097 to help pay the \$5,000 for Brinckerhoff
school for the All Day Camp

(copy attached to original minutes)

Seconded by Councilman Zack

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried unanimously 5-0

NEW and OLD BUSINESS

Councilwoman Malvarosa

She stated she was at the Village meeting Monday night and they are planning their rock around clock block party for May 13th - there is a new stop sign in back of Fishkill Tire - there will be another public meeting on March 28th at the Fishkill Elementary School

She talked with Allison MacAvery, County Legislator, in regard with the Loop fairs and found out it does not impact the Dial-A-Ride costs

She reminded everyone of the May 21st –Third Dog Show Off from noon to 4:00pm

Councilman Zack

Nothing

Councilman Ferguson

He stated there was a meeting for the updating of the town website, there is more work to be done, and should take another two-three weeks more and should have more information then. Cablevision installed the viberoptic cable in the Town's future TV studio, there is more work pending to hook up the viberoptic modems for the high speed internet.

Councilman Leenig

March 07th he attended a Stonykill Environment reading which was basically for a unit management plan. It was just an open house for all residents to attend and get their ideas as what they would like to see at Stonykill, the next meeting will be on March 18th to evaluate what is for the future. He stated that he met with Historical Society at their monthly meeting, he presented to them a 2000 save America program, informed them there is grant money for the projects they have coming up, and the Historical Society

is putting together a list of things they need and would like to see. They will be applying for a grant.

EXECUTIVE SESSION

Motion made by Councilman Zack **to go into executive session.**

Seconded by Councilman Ferguson

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried unanimously 5-0

Executive Session at 10:20am

Motion made by Councilwoman Malvarosa **to employ services of Amtek, at their prevailing hourly rates, for the job related issues to the building department. Seconded** by Councilwoman Malvarosa

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried unanimously 5-0

Regular Order of Business

Motion made by Councilman Zack **to go back into regular order of business. Seconded** by Councilman Ferguson

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried unanimously 5-0

Regular Order of Business at 11:35am

Inform Nick Sialmas that the board will not reappoint him as a member of the Assessment Board of Review. Your term expired September 2005, there has been no reappointment and there will be no reappointment. Thank you for your services to the Town.

Motion made by Councilman Ferguson **to add Amtek to the consultant list for 2006. Seconded** by Councilwoman Malvarosa

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried unanimously 5-0

ADJOURNMENT

Motion made by Councilman Zack **to go adjourn the meeting.**

Seconded by Councilman Ferguson

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried unanimously 5-0

Meeting adjourned at 11:36am

Respectfully submitted,

Darlene Bellis,
Town Clerk

